

Dear FCC,

Access to MTE's by CLECs is critical to growing the US telecom infrastructure. The only way to have true competition in telecom is to allow carriers to build their own infrastructure.

To build our infrastructure we need the same fair and unencumbered access to buildings, phone poles, conduits, and other rights of way that the RBOCS have enjoyed and continue to enjoy.

American Lightwave Communications is a CLEC in the Houston market. We have approached close to 40 buildings to gain access and expand our facilities. Out of those 40 about 1/4 of them have asked for more monthly rent from us than the revenue derived would support, thereby restricting their properties from us. Another 1/4 have restrictions in the contracts that jeopardize our ability to freely build our infrastructure the way SWB has in the past and continues to do so.

The 10 buildings in which we have built our infrastructure into were very long runways from the time we began negotiations to when the contracts were signed and we were allowed to build out.

Ultimately, parity in our industry can only be obtained when; #1 All phone companies pay (or don't pay) the same, and #2 Buildings are truly required to give access to any carrier wishing to provide services to the public within the building without forcing them to negotiate through a maze of contracts and legal work.

This issue has been on the table for a few years now. The slow wheels of the FCC are killing the CLECs and the very viability of competition by inaction and allowing the RBOCS to continue their business as usual.

Respectfully,

Terry Burnside, COO
American Lightwave Communications
(713) 418-2190